

**COMMISSION ON STATE MANDATES**

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November 19, 2001

Mr. Steve Smith  
President  
Mandated Cost Systems, Inc.  
2275 Watt Avenue, Suite C  
Sacramento, CA 95825

Mr. Glen Haas  
State Controller's Office  
Division of Accounting and Reporting  
3301 C Street, Suite 500  
Sacramento, CA 95816

**Re: Incorrect Reduction Claims**  
*Certification of Teacher Evaluator's Demonstrated Competence*  
01-4136-I- 41 through 01-4136-I-46  
Education Code Section 35160.5  
Statutes of 1983, Chapter 498  
(See Enclosed List of Claimants)

Dear Mr. Smith and Mr. Haas:

On November 9, 2001, the claimants filed six incorrect reduction claims (IRCs) with the Commission on State Mandates based on the *Certification of Teacher Evaluator's Demonstrated Competence* program. Commission staff determined that the enclosed IRC submittals are complete.

Government Code section 17551, subdivision (b), requires the Commission to hear and decide upon claims filed by local agencies and school districts that the State Controller's Office (SCO) has incorrectly reduced payments to local agencies or school districts.

**State Controller's Office Response.** Please file the SCO responses and supporting documentation regarding these claims within 90 days of the date of this letter. Please include an explanation of the reason(s) for the reductions and the computation of reimbursements. All documentary evidence must be authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so and be based on the declarants' personal knowledge, information or belief. The Commission's regulations also require that the responses (opposition or recommendation) filed with the Commission be simultaneously served on the claimants and their designated representatives, and accompanied by a proof of service. (Cal. Code Regs., tit. 2, § 1185.01.)

The failure of the SCO to respond within this 90-day timeline shall not cause the Commission to delay consideration of the IRC.

Mr. Steve Smith  
Mr. Glenn Haas  
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**Claimant's Rebuttal.** Upon receipt of the State Controller's Office responses, the claimants and interested parties may file rebuttals. The rebuttals are due 30 days from the service date of the responses.

**Prehearing Conference.** A prehearing conference will be scheduled if requested.

**Public Hearing and Staff Analysis.** The public hearing on these claims will be scheduled after the records close. Staff analyses will be issued on the IRCs at least eight weeks prior to the public hearing.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,



SHIRLEY OPIE  
Assistant Executive Director

Enclosures: List of Claimants  
Incorrect Reduction Claims of Claimants (SCO only)

f:/mandates/irc/01-4136/completeltr

MAILED:  FILED:   
DATE: 11/19/01 INITIAL: VS  
WORKING BINDER: \_\_\_\_\_

*Certification of Teacher Evaluator's Demonstrated Competence*  
Incorrect Reduction Claims

<b>DATE</b>	<b>NUMBER</b>	<b>CLAIMANT</b>
11/09/01	01-4136-I-41	Elk Grove Unified School District
11/09/01	01-4136-I-42	Santa Maria – Bonita School District
11/09/01	01-4136-I-43	Milpitas Unified School District
11/09/01	01-4136-I-44	Del Mar Union School District
11/09/01	01-4136-I-45	Saratoga Union Elementary School District
11/09/01	01-4136-I-46	Merced City Elementary School District

f: mandates/irc/01-4136/completelist